THE PUBLIC HEALTH.

THE BUTCHERS AND THE BOARD OF HEALTH

DECISION OF THE COURT OF APPEALS IN RELA-TION TO CATTLE-DRIVING IN THE PUBLIC

No. 1. The Metropolitan Board of Health agt. Jacob Heister, Claims for penalty for violating order. No. 2. The Metropolitan Board of Health agt. Jacob Heister. Claims for penalty for violating ordi-No. 3. Jacob Heister agt, the Metropolitan Board of Bealth. Application for injunction to stay Board from enforcing ordinances. No. 4. Jacob Heister against the Metropolitan Board of Health. Application

No. 1.—In this case the Board claims to recover

proofs, and order of said Board in the premises appear among its archives, as the law provides." The submission to the court below was formally made by both parties. The defendant's theory was sustained, and judgment ordered in his favor, and an appeal has been taken to this court by the plaintiffs.

CASE NO. 2.—This action is to recover a penalty for violating the ordinances of the Board of Health, relative to shughtering cattle in the city. The case is different from No. 1 in this: That that related to the power of the Board to make special orders on notice and opportunity of hearing, which may be specifically enforced; but No. 2 relates to its power to pass general ordinances, which only involve the liability to pay a penalty of \$50, and are now attempted to be enforced otherwise than in civil proceedings.

ow attempted to be enforced otherwise than in civil proceedings.

The leading facts are:
(1.) That the ordinance in question prohibited, first, the driving; and, second, the slaughtering of cattle in the lity of New-York, south of Fortieth-at.; and the defendant was slaughtering at No. 25 Fourth-at., on a paced treet south of Fortieth-at.
(2.) The defendant carried on his business in the "ordinary manner"

That one party claims the business is dangerous to and the other demes it. That the premises where stanglitering was done are in a "thickly settled por-of the city, on a paved street," and "that there are leight facilities for slaughtering animals at places in the

cient facilities for slaughtering animals at places in the above Fortieth-A."

I That the business of slaughtering and driving "anistin the city impairs the enjoyment of life on the parties in the city impairs the enjoyment of life on the partied between the prevent bad meat being sold, "causes large muts of blood and offal to go into the sewers," &c., that unhealthy exhalations are generated," &c., "and on trial the opinions of a large number of the leading sicians of the city were read, in evidence, to the effect one medical opinion was offered to the contrary.

On the basis of such facts, the Board of Health exsets its discretionary power of passing the ordinance

No. 3. -This case arises under a similar changes, and is based on like facts in several particular, and it is further found, "that the driving of cattle he the frequented streets of said city is attended still to human life," and that no cattle were driven Fortieth-st. from the 28th of August, 1867, to the cof the submission of the case, which was in Jan-

declares that "the trial by jury in all cases in which it has heretofore been used shall remain invisitate forever," and the sixth section of the same article, which provides that "no person shall be deprived of life, liberty, or property without due process of law."

The argument on this point has been conducted by Mr. Heister's counsel chiefly apon the allegation that, on the question of missance or no suisance, the party complained of had a right to the opinion of a jury before the rights could be finally disposed of. It was admitted, on the argument by the additional counsel, that a Court of Equity could give final judgment without calling in a jury. It will be observed that in each of these cases now before us, it was alleged and decided that the proceeding was dungerous to the public health. This was in addition to the charge that it was a missance.

No one has been deprived of his property of of his liberty by the proceedings in question. The Commissioners have provided that cattle shall not be driven upon certain streets except upon certain hours of the day. They have also provided that the business of slaughtering cattle shall not be carried on m the City of New-York, south of a designated line. These regulations take away no man's property.

If Mr. Heister own scattle, his ownership is not interfered with. He may sell, exchange, and traffic, in the same manner as any other person owning cattle may do. If he owns a slaughter-house, his property remains intact. He may sell it, mortgage it, divide it, or give it away, and may use it just as any other man, or all other remain the State combined may do. Simply the health regulations of the district operate upon his cattle and his shaughter-house in the same manner that they do upon like property owned by all others, and the use of the streets for dangerous burposes, and of the prosecution of a business dangerous to the public health, is regulated by the ordinances in question. This practice is not forbidden by the Constitution, and has been recognized from

in the city.

"Under such penalties of fines and forfeitures as shall be reasonable."

See also the act of March 30, 1798, (Andrew's Laws, p. 403.) as cited by Mr. Eataps; the act of April 9, 1804; and the 2 Rev. Laws of 1813, p. 534, sec. 25; I Rev. Stat., 1830, p. 441, sec. 3; authorizing the Mayor, or Commissioners, to remove or destroy anything that may be dangerous to the public health. The laws of the same character relative to the City of New-York in 1850, ch. 275, p. 507, contained provisions more extensive and more rigid than those now under consideration. The amended charter of the city of Brooklyn, (Laws 1854, ch. 354,) gives the Common Council power to compel the owner or occupant of

the city of Brooklyn, (Laws 1854, ch. 384.) gives the Comcon Council power to compel the owner or occupant of
my slaughter-house to cleanse, remove, or abate the
ame, from time to time, and as often as may be necesary for the health or comfort of the inhabitants.
These acts show that from the earliest organization of
the Government, the absolute control over persons and
roperty, so far as the public health was concerned, was
ested in boards or officers, who exercised a summary
urisdiction over the subject, and who were not bound to
rait the slow course of the law, and that jury trials had
ever been used in this class of cases. The Governor,
he Mayor, Health Officers, under various acts, were the
ersons intrusted with the execution of this important
ubble function, and they were always empowered to act
a summary manner.

persons intrusted with the execution of this important public function, and they were always empowered to act in a summary manner.

Scarcely a year passes, or did pass prior to 1846, in which the Lexislature did not charter some city or village, and give to the local powers fall authority, by their own action and in their own way to regulate, abate, or remove all trades and manufactures that might be, by them, decemed injurious to the public health. I have examined the statutes from 1832 onward, and find that scarcely a year passed by in which these powers were not given to many city or villages, by original authority or by amendments to their charters. I see among the cases of the session just closed, one to incorporate the village of Governey, which gives the trustees full power to prohibit and abate nuisances, to compel the owners of a butcher's stail, swer, privy, or other unwholesome thing, to cleanse the same, or cause the same to be removed, or otherwise disposed of, as may be upcessay for the public good. See also 18 Wend. 262.

I do not doubt, either, that upon general principles of law, and considering them as minisances, the right of regulating the use of the streets by droves of cattle, and of removing houses for their slaughter from particular locations, as the public health required, was within the power to pro-

Warner agt. Albany, 15 Wend., 262; 3 Black, Con C. It would be difficult, then, to say that the power given by this act of 1866 was a new exercise of anthority not allowed by the Constitution, or that it was a case in which a jury trial had theretofore been had. Before leaving the consideration of this constitutional objection, it ought, perhaps, to be observed that the act provides for notice to the party affected before the judgment finally passes are visit him.

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SUMMER RESORTS.

WHERE TO GO, HOW TO GO, AND WHAT IT COSTS-USEFUL HINTS - SEASIDES - MOUNTAINS, LAKES, AND RIVERS-WHERE TO PASS

A DAY, ETC., ETC. Thermometer 90 degrees in the shade-people perspiring profusely-parched pavements-every breath of air seems like a blast from a furnace. Where shall we go to avoid the sun's rays! What tree shall parry with generous arm the fearful stroke of El Solt What mountain shall invite us to the clear air of its sum mit! What shore shall call us to listen to the sea's everlasting roar as it breaks on the beach ! Thoughts of river, valley, and mountain pass in review pefore us, and we start to find a place, not to suit ourselves but to suit the reader. Remembering Sweetser's five commandments to the traveler, we wing our flight. I. He owns a good trunk. II. He carries thick clothing, even in the hottest

weather.
III. His hand-satchel is never without camphor, laudanum, and brandy for medicine.

IV. He does not drink water in unaccustomed places.

V. He buys through-tickets even when not going beyond a local station.

THE SEASIDE.

Thirty-two miles from New-York is Long Branch—the leading fashionable fresort. There are five large hotels—the Metropolitan, Continental, Mansion, Howland's, and Stetson's. Average price for day board, \$1.50. The hotels are all furnished with billiard rooms, bowling alleys, shooting galleries—brass and string bands, and other accessories. A grand place for surf bathing, beautiful drives, flanked by the picturesque cottages of millionaires. The oldest and most permanent route to Long Branch is by the Raritan and Delaware Bay Railway, by boat from Pier No. 32, North River, at 4 p. m., connecting at Port Montmouth with trains. Returning, leave Branch shore at 7:15 a. m.

Newport is one of the most elegant resorts in America, easy of access; its hotels are the best, and the facilities for surf-bathing are not excelled. The drives about the town are unsurpassed. The city itself is so ancient, and contains so many places of interest, that appart from its fashiomable associations it is well worth visiting. Before the Revolution it was the leading city of America. Lily Pond, near at hand, swarms with perch. Adjoining the Perry House is Shanahan's Opera House,

is so ancient, and contains so many places of interest, that apart from its fashionable associations it is well worth tysifting. Before the Revolution it was the leading city of America. Lily Pond, near at hand, swarms with perch. Adjoining the Perry House is Shanahan's Opera House, the finest theater outside of Boston in New-England. Average price per diem at hotel, it is 0. The principal and most fashionable route is that through Long Island Sound, by the Fall River line of steamers, from Pier No. 28, North River, foot of Murray-st., at 5 p. m., arriving at Newport early in the morning.

Bergen Point.—The La Tourette House on the Point, is rapidly growing into favor. It is but a half hour's distance from New-York, and is a charming little watering place. Mr. Sweetzer, in his very valuable "Book of Summer Resorts," thus refers to it: "It is surrounded with trees and stands on its own grounds like a private gentleman's residence. No exorbitant charges frighten the visitor away after he has perused his first week's bill. It is buried in the picture-que woods of New-Jersey, is easy of access, and has such genial, invigorating air that it is a wonder it has remained so long unknown, and, like the happy Valley of Rasselas, enjoyed only by a favored few. The ride down, by road, either by the New-Jersey Central or the "dammy" engine is hurriedly made, If in your "own turnout," it is a splendid drive down, plank road along the sea shore. Bergen Point can be reached by water, as well as land, to wit: Two boats, the Magenta, from the foot of Barclay-st., and the Red Jacket, from Liberty-st., run hither twice a day.

Cape May is at the extreme southern point of New-Jersey, where the Delaware Bay enters into the sea. It is a gay and brilliant place. Over a dozen hotels:

Mount Desert Island, of late, has become a place of interest; is 40 miles from Bangor, off the coast of Maine, and may be reached from Boston by steamer to Bucksport, thence by stage via Elisworth. The Island itself contains 60,000 acres, and boasts of Green Peak, 1,800 feet high. The rock-bound coast of New-England bursts upon the view with unequated splendor from the Peak; splendid fishing and bathing. At Bar Harbor. Roberts's should; at South-west Harbor, Clark & Freeman's. Terms low. Season from June to November.

On the New-Hampshire Coast, we have Portsmouth, Isle of Shoals, Rye-great places for fishing, shooting, salling, and bathing. The beaches of Rye are becoming every year more popular. The drives through the surrounding country are beautiful in the extreme. The largest hotel is the Ocean House. Near this are the washington and Surf Houses, with neat cottages for boarders.

Martha's Vineyard.—The island is about 30 miles from New-Bedford. In reaching it the boats pass through Buzzard's Bay by the islands of Pasque, Nashewens, and Naushon (the first is now under the control of the New-York Ciub, and used by them as a headquarters in the Summerl. "Camp Meeting Landing" is on the east side of the island. The meetings are held in a beautiful grove, and during the "holy week" it is not only a great resort for the religious, but the gay and fashionable hover around the outer circle of the tents. The grove is laid out in avenues, flanked by handsome cottages and tents. Oftentimes there are as many as 20,000 persons present. The fare on the boats to cross the Bay is very low. The reul of a party to have a good time with fittle money. The traveler should not fail to go to Nantucket. All kinds of fishing from the shark to the ninny. And as for clam bakes, unless you have partaken of this peculiar repast of Nantucket, you don't know what a clam bake is. The Ocean House is a first class hotel. The Adams House is less expensive, but of excellent character.

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time to connect with the night train on the Central Railway; change cars at Watertown, and arrive at Potsdam Junction about noon. There is a first-class hotel—the United States—at the Springs.

Chiltenango. - The country for miles around abounds in fine scenery, excellent roads, and good fishing. There are both sulphur and iron sgrings, both pronounced by geologists to be the finest in the State. Invalids are much benefitted by the baths. The hotels and cottages are first class; excellent table, good beds, plenty of amusements, bowling, biliards, and croquet. The best route is by the People's Line of Steamers, leaving Pier

amusements, bowling, biliards, and croquet. The best route is by the People's Line of Steamers, leaving Pier No. 41, N. R., at 6 p. m.; take New York Central at Albany.

There are many fine springs in Pennsylvania. Cresson is noticed for the benefit which invalids receive from a few days' residence. Carlisle also boasts its pure air; Gettsburg, the great Katalysine waters, and its memorable battle-ground and cemetery. The mineral springs of Virginia are widely known.

Niconya. This is undowbledly the great Same

Niagara.-This is undoubtedly the great Sum Niagara.—This is undoubtedly the great Summer attaction for the tourist. Nature has done more to make this place famous than any other resort in this country. The traveler, when the locomotive whistles for Niagara Falls, must begin to put on his armor so that when he steps from the cars to the platform he is armed capa-pie. Leave no vulnerable point exposed to the attack of the hackmen; make a good fight or none at all; stride proudly toward the first hotel, and never looking behind or submit at once in hopeless defeat, allow yourself to be shoved into a a carriage and charged whatever your remorseless captor sees fit. Walk whenever you can. It will repay you. As for the objects of interest, their names alone would fill a column of Tiut TRIBUNE. The Falls, American and Canadian: the Cave of the Winds, the Suspension Bridge, the Whirlpool, the British Museum, with its sliding scale of prices; toat Island, Terrapin Tower, queer looking squaws, fans, spray, Kanucks, legends, lies, and other articles too numerous to mention. The hotels are all very good: average charge per day, \$4. The New-York Central House, near the depot, is commended to travel lers who wish to live well and economically. Terms, \$3 per day. per day.

The Cattskills.—The Cattskill Mountain House The Cattskills.—The Cattskill Mountain House, the central point of the Cattskills, may be reached in 8 to 12 or 13 hours from New-York City. Probably the most plensant trip is to take the day beat from the foot of Desbrosses-st. at \$20, and landing at Cattskill take a stage ride of ten miles up the mountain. The Mountain House stands upon one of the terraces of the mountain, 2,500 feet above the river. The view from the balcony, taking in the river, and the sunsets and sunrises are glorious. There are many points of interests in and around the Mountain House.

The White Mountains.—The best route from New-York to the White Mountains is through the Con-

The White Mountains.—The best route Tom-New-York to the White Mountains is through the Con-necticut Valley. It is 70 miles shorter than any other, Like Niagara, it is impossible to describe the grandeur of the scene. Only a visit will, give an idea of the glory of the White Mountains. There are many routes to them— the Androscoggin Valley route, and the Saco Valley route. All are good, but the Connecticut Valley is the most romantic as well as the shortest. The hotels at the Mountains are all good; the board about \$\$\frac{1}{2}\$ per day.

A DAY OUT OF TOWN. "Where can a fellow go for a day's sport?" Go to the "Cholera Banks;" catch a batch of fresh salt fish, and a breath of fresh salt air. Take the Rip Van tines, and refreshments on board. Sundays, the Rip Van Winkle leaves
Eighth-st. at 7, and Broome-st. at 7:20 a. m. "Five
hours fishing for \$1" is given by the tug W. Fletcher on
Sundays, starting from Eighth-st. at 6; Fulton-st., Brooklyn, at 6:45; Peck-slip, 6:30; Pier 4, N. R., 8 a. m. The Seth
Low, on the same day, Eighth-st. at 7; Peck-slip at 7:45;
Degraw-st., Brooklyn, 8, and an extra independent day. lyn, at 6:45; Peck-slip, 6:36; Pier 4, N. R., 8 a. m. The seth Low, on the same day, Eighth-st. at 7; Peck-slip at 7:45; Degraw-st., Brooklyn, 8, and an extra inducement claim chowder free, fare \$1. The steamer Yankee leaves Pier 4, N. B., every Saturday night at 12; Eighth-st., 12:36; Peck-slip, 1 a. m.; lunch free fare, \$2. A good deal of sport can be had by getting together half a dozen or more friends, forming a club, and chartering a tug-boat. In thus selecting your company you avoid the rabble and the "roughs," and it costs but little more. Fifty dollars will hire a good-sized boat.

Sheepshead Ray.—Good fishing, surf and still bathing, more retired than Coney Island, its neighbor, neglected by the gamblers and fighters who congregate at the latter place. Johnson's and Lindeman's are the hotels. Good board by the week, \$15; first-rate fish dinners cheap. Take Prospect Park cars at Fulton Ferry, change cars at Evicon's contract of the property of the strength of the stre

Good board by the week, \$15; first-rate fish dinners cheap. Take Prospect Park cars at Fulton Ferry, change cars at Park, take Coney Island cars, and get out at Friend's; round trip one hour and a half. Car fare, 30 cents; dinner, 76 cents. Grand total, \$1 05.

Rockaway,—If one wishes to while away an hour on "Old Long Island's sea-girt shore" take the Port Royal, which leaves a at 9 a. m. (see advertisement) and returns at 6.

Coney Island is a first-rate place for surf-bathing, and that's all. The hotels would be good enough if they were not run by men who believed in the good old Democratic dectrine, "Make haste to get rich-get money, Sammy, honestly, if you can, but get money," If the gamblers, pickpockets, thieves, and the "soiled doves," would forget there was such a place as Coney Island, and the hotel-keepers were banished to the light-ship off the shore, then there would be some come comfort in a visit to Coney Island. To those who wish to go, a word of warning. Not for to-day and Coney Island, but for all time, and every place beware of a man who offers you a grand chance to make 430 by an investment of \$6. Your eye-sight is not worth a cent when pitted against skillful fingers—"under which about an 14 from the time you leave the ferry the surf is ready for you-car fare 21 cents.

A good trip up the "noble Hudson" may be

trial of criminal cases in that Court. Judge Blatchford sat for that purpose 14 days in the month of June, during which time 17 cases against 27 defendants were tried, one case occupying four days. I think these facts furnish an obvious explanation why no more persons were tried. Fourth: "Why is it that justice seems to have fied from

the U. S. District Court as at present managed by me !"

Answer. I am not prepared to concede that justice has fled from the Court referred to; at any rate, I do not manage it, nor was the management of that Court ever one of the duties of the District-Attorney. I am the first, in years, who has tried any criminal cases in that Court In most of those justice seemed to be present. As to the Circuit Court, the flight has been of judges, rather than

of justice.
Finally, "Why has the case of the Kentucky Bourbon Company been so mysteriously hushed up and postponed!"
Answer. The members of the Kentucky Bourbon Company to the company to the case of the Kentucky Bourbon Company to the company to the case of the Kentucky Bourbon Company to the case of the cas

Answer. The members of the Kentucky Bourbon Company were indicted January, 1868. I moved their cases for trial- at the next term of the Circuit Court in February, when application for postponement was made by defendants' counsel, and granted by the court. The cases were transferred to the District Court and I moved them in that court in June. Application was again made for postponement by defendants and opposed carnestly by myself, and the court finally set down the cases for trial on the 22d. On that day, as on the two previous ones, I had my witnesses in court ready to proceed with the trial, when the Court declined to take, up cases of that magnitude so near the close of the term, when all the cases of prisoners in Jali had not been finished. (Jali cases are always disposed of first for obvious reasons.) Of my efforts to press these cases to trial the columns of The Tribune bear abundant and faithful testimony. They have not been hushed up, and there has been no mystery about their postponement. Yours, &c., Samuel G. Courney, U.S. Attorney for the Southern District of New-York. New-York, July 14, 1868.

THE CAMPAIGN.

SPEECH OF SENATOR MORTON.

The following are the remarks made by Senator Morton on Thursday, in speaking upon the joint resolution of Mr. Edmunds relative to the representation of the Southern States in the electoral college:

of the Southern States in the electoral conege:

Mr. President, I do not rise so much to discuss the
merits of these several propositions as to say that I shall
vote for that offered by the Senator from Vermont (Mr.
Edmunds), believing that it is more specific and direct
than the other two; but perhaps any one of them would

Edmunds), believing that it is more specific and direct than the other two; but perhaps any one of them would answer the purpose.

I desire, however, to say one word in regard to the importance of this measure. We have been noting the proceedings of a Convention held in the city of New-York, which has but just adjourned. I have read the resolutions adopted by that Convention, the platform of principles it has laid down, and upon which its candidates have been placed; and I wish to call the attention of the Senate to the issue that is presented to the country by this platform and by the character of these candidates.

Gen. Grant, in his letter of acceptance, said, "let us have peace;" but the Democratic party by their Convention in New-York have said, "let us have war; there shall be no peace." They have declared in substance, I might say perhaps in direct terms, that the reconstruction of these States under the several acts of Congress shall not be permitted to stand, but shall be overturned by military force if they get the power. They have announced that there shall be no peace in this country; that there shall be no settlement of our troubles, except upon the condition of the triumph of those who have been in the Rebellion. This platform and these nominations are a declaration of renewal of the Rebellion. Let me call your attention to a part of the eighth resolution in regard to this very question. In speaking of the reconstruction of the States, they go on to say that the power to regulate suffrage exists with each State, making no difference between loyal States that have been at peace and States that have been in rebellion, putting them all on the same footing.

"And that any attempt by Congress on any pretext

ace and States that have been in technoly present com all on the same footing.

"And that any attempt by Congress on any pretext hatever"—that is, upon the "pretext" of the Rebellion, you please—" to deprive any State of this right, or infrere with its exercise, is a flagrant usurpation of power high can find no warrant in the Constitution; and, if metioned by the people, will subvert our form of government."

sanctioned by the people, will subvert our form of government."

They declare that the interference of Congress with suffrage in States that have been in rebellion, though that interference may be absolutely necessary, as we have found it, to the reconstruction of the States, is unconstitutional, and that no justification can be found for it, and that it will subvert our form of government.

Mr. Howard—Read the rest of it.

Mr. Howard—Read the rest of it.

Mr. Morton—Yes, Sir; I will read the balance of it:

"And can only end in a single centralized and consolidated Government, in which the separate existence of the States will be entirely absorbed, and an unqualified despotism be established in place of a Federal Union of coequal States, and that we regard the Reconstruction acts (so called) of Congress as such—are usurpations and unconstitutional, revolutionary and void."

This Convention has called upon the Rebels of the South to regard these governments organized by anthority of acts of Congress by the people of those States as usurpations, unconstitutional, and void, and has thereby invited them again to mearrection and rebellion. That is what the resolution means. That is where the Democratic party has placed itself and its candidate, that there shall be no acquiescence in the action of Congress, but that continued resistance is and shall be their policy. They have replied to Gen. Grant by saying, "there shall be no peace, but the war shall be renewed." There can be no other policy for that party unless it acquiesces. If it does not necept these Reconstruction acts, there can be no policy but that of resistance and a renewal of the war. They declare these Reconstruction acts, there can be no policy but that of resistance and a renewal of the war. They declare these Reconstruction acts, there can be no policy but that of resistance and a renewal of the war. They declare these Reconstruction acts to be unconstitutional and void. Being void, nobody is bound to regard them; they have no authority over any one

Mr. Pomeroy—Let us have the letter read. I want to hear it.

Mr. Morton—It is as much a part of this platform as if it was incorporated in it, for the ink was hardly dry before it was indorsed by his nomination. I ask the Secretary to read the clause of this letter that I have marked.

Mr. Conkling, Mr. Pomeroy and others—Let him read the whole letter, so that it can go into The Globs.

Mr. Morton—I will ask the Secretary to read the whole letter, especially that which is distinctly marked.

Several Senators—Let us have the whole letter.

The President pro tempore—The letter will be read.

The Chief Clerk read as follows:

"Washington, June 20, 1963.

"Dean Colonel: In reply to your inquiries I beglear to say that I leave to you te determine, an consultation with my friends from Missouri, whether my name shall be presented to the Democratic Convention, and to salmuit the following, as what I consider the real and only issue in this coutest:

"The reconstruction policy of the Radicals will be complete before the next electron; the States so long excluded will have been admitted; next legicials the before the mean legical to the presented to the presented in the read and the presented in the read when the presented in the read we have been admitted; next legic to the presented to

pet-bag State Governments, allow the white people to reorganize their way governments, and elect Senators and Representatives. The House of EFFrichatides will contain a majority of femocrata from the North, and they will admit the Representatives elected by the white people of the South, and with the cooperation of the President it will not be difficult to compet the Senate to submit once more to the chilgations of the Constitution. It will not be good to the control of the President is will put ment, if distinctly through and clearly expressed on the public judgment, if distinctly through and clearly expressed on the fondamental issue, and it is the sure way to avoid all fature strike to put the issue plainly to the country.

"I repeat that this is the real and only question which we should allow to control us. Shall we submit to the uncurrations by which the Govern

Copilitation. It will not be able to withstead the public judgment, if stitudity ticked and itserf expressing the fordamental issue, and it in the sure way to avoid all haters stife to put the issue plainly to the country.

"I repeat that this is the real and only question which we should allow the control use? Shall we submit to the usurpations by which the Government has been overthrown, or shall we enter ourselves for its fall and complete restoration it its did to take the beads, genduals, gold, the public faith, soft they, with a Congress in both branches centrolled by the public faith, soft they, with a Congress in both branches centrolled by the archebargers and their allies? It will be possible to stop the supplies by which and army is maintained to profest these vagalous in their outrages upon the hallot. These, and things like these, eat up the remained and concrete for the Government, and destory its credit—make the difference between gold and greenheaks. We must have a freedom who will be the controlled of the people by trampling into dust the suspraint of Congress, known as the Reconstruction acts. I wish to stand before the Convention upon this issue, but it is one which subtrace everything else that is of value in its large and comprehensive results. It is the ose thing that before all the controlled of the people by trampling into dust the suspraint of Congress, known as the Reconstruction acts.

"Colonel Jakes O. Babadiran."

Mr. President, that is the Democratic platform. Gen. Blair, whatever you may say of him, is a bold, outspoken man, and he spoke the sentiments of that convention. He says, "upon these sentiments of that convention. He says, "upon these sentiments of that convention and the property of the governments that have been erected in the Robel States under the laws enacted by Congress; the continuance of this country is, war; resistance by force of arms to Congressional legislation; the overthrow by force of the whole country is, war; resistance by force of arms to Congress the co

The Hon. John A. Bingham, in accepting the Republican renomination for Congress from the

the Hon. John A. Bingham, in accepting the Republican renomination for Congress from the XVIth Ohio District, spoke as follows:

GENTLEMEN: I would make my words few, and yet I would have this issue understood by the great people who are to decide it. This "new guard for their future safety," in the form of amendment to the Constitution, so manimously supported by the people of 23 organized States, is, in my judgment, as essential to the future life of the Republic as is the original Constitution. This being my conviction, you will pardon me for pressing it upon your consideration. First, This amendment was supported and voted for by every Union Representative in the XXXIXth Congress, It was opposed and voted against by every Democratic Representative in that Congress. Second, Its ratification was supported and voted for by the Union Republican members of the 23 State Legislatures which ratified it, and voted against by the Democratic members of State Legislatures. Thisd, Its ratification was rejected by the Democratic Legislatures of Delaware, Maryland and Kentucky. Foorth, Since the ratification of the amendment by the 23 States, among which our own great Commonwealth of Ohio stood proudly preëminent, we find the Democratic party, in aid of an expiring rebellion, having accidentally a majority of the Legislature of this State this year, engaged in the atrocious work of repealing by joint resolution the ratification of this amendment.

contest, the successful determination of which will crown the triumph of your arms with an enduring victory, notice the fact that the XLth Congress, by the acts for the admission of seven of the insurgent States to representation in Congress, provides that they shall severally, as a fundamental condition of their restoration to political power, ratify this amendment to the Constitution of the United States, and that every Republican member of the XLth Congress voted for these bills, and every Democratic member of that Congress voted agoinst them. Their chief, true to the "lost cause," interposed his impotent veto to prevent these acts from becoming laws. In the words of the Constitution, they have "become laws," the objectious of the President to the contrary notwithstanding. You will notice, further, that upon the execution of the condition by those seven States, this amendment will have been ratified by 36 States of the Union, making more than three-fourths of the whole number, and will thereby have become part of the Constitution of the United States. All this is objected to by every State Rights Secessionist of the United States, North and South, who directly or indirectly aided the Rebellion, and who, now that the Rebellion is overthrown by arms, seeks by force of the ballot to restore it again to its original power for cvil to the Republic. Why this opposition? Is it not written in your Constitution that it may at any time be amended—that the Congress may propose the amendment, and the Legislatures of three-fourths of the States may ratify it, and make it part of the Constitution? Was it not solemnly declared by Washington that this right of the people to alter or amend their constitution of government is the basis of the American system? I ask again, why this opposition to this amendment? Is it not for this: That the amendment forever secures the rights of all natural-born and naturalized citizens alike against State usurpation and oppression, by declaring that "no State shall make or enforce any law whi under any State, until their disability shall have been removed by a two-thirds vote of Congress! Or is this hostility to the amendment because of that grand and vital provision which declares "the validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppresing insurrection or rebellion, shall not be questioned. Or, finally, is it because of that other provision, no less essential, which declares that neither the United States, nor any State, shall assume or pay debts contracted in aid of rebellion, or any claim for emancipated slaves, but that all such debts and claims shall be void. Pause for a moment and consider the great interests which depend upon the adoption of this amendment. This is not the time or place to discuss all the 'questions involved in its adoption or rejection. To the end that the Constitution may be perpetuated, and that its declared purpose "to establish justice" may be insured, the people propose the 14th article of amendment, thereby declaring that ne State shall make any law abridging the privilege of the citizens of the United States; that no State shall deprive any person of the equal protection of the laws; that no State shall assume or pay any debt contracted in aid of any Rebellion against the United States, neither shall the Void States. Without the limitation proposed, any State and every State may, by taxation, exhaust all the resources of the people to reimburse the tracted in aid of any Rebellion against the United States, neither shall the United States. Without the limitation proposed, any State and every State may, by taxation, exhaust all the resources of the people to reimburse the costs of the Rebellion, and to make compensation for emancipated slaves. Accepting the nomination with which you have this day homored me, it is due to you, gentlemen of the Convention, it is due to the people, whom you represent, it is due to myself, it is due to the great party of the Union which crushed rebellion by arms, and proposes to make Rebellion forever impossible in future, by law, to say that I stand for the Fourteenth Article of Amendment to the Constitution, of which I have this day spoken for each and all of its provisiona, and against all who oppose it, in Congress and out of Congress, whether they be of the Demoracy who levied war by arms, or that other Democracy who levied war by arms, or that other Democracy who levied war by arms, or that other Democracy who levied to make treason successful by resisting as laws essential to its suppression! In saying this I but reiterate the great declaration of principles made by the recent Union Republican Convention in Chicago. That declaration declares for the Acts of Reconstruction of which I have spoken, and which have for their object the speedy restoration of the insurgent States, upon the basis of the Constitution, with the fourteenth article of amendment incorporated therein, and ratified by them respectively. In this I stand in perfect accord with the patriet here, Ulysses S. Grant, who fed your armies to victory from the banks of the Mississippi to the intrenchments of Richmond; and who, with his legions, under God, crushed Rebellion in arms, by compelling the surrender of the Rebellion in arms, by compelling the surrencer of the broken battalions of treason; and who, in this last great battle of the seven years' war, which is to determine the fate of the Republic for all the hereafter, will lead the great and triumphant people, armed with the balloit, that weapon mightier than the bayonet, which executes the voice of freemen, to that enduring and final victory which will forever prohibit State rebellion and State secession in this land, establish equal and just laws for the protection of the rights of each, by the combined power of all, secure to labor its fair and just reward, energing the arm of industry, reward virtue, and punish crime, or tablish justice, insure liberty, and make the Republic immortal. It gives me pleasure to say that both of the greatiemen named at Chicago, Grant and Coifax, and the representative mea of the great principles of constitutional government, of justice and of liberty, regulated by law—the principles involved in this struggle—which commenced with the first gun fired on Sunter in 1821, and will and only by the last ballot cast in the pending elections of 1888! Romember, gentlemen, earry it with you to your homes, and tell it to your neighbors, that the contest of 1868 for the election of a Congress and a President, is the contest which is either to crown the Republic, or to crown the Rebellion with victory; that the party of the Union which are all the party of the Unio ple in the coming elections, save the Republic by laws, impress upon your neighbors the truth, patent to all the world, that the rejection by the people, in the coming election, of the representatives of the Union and the Constitution, the advocates and supporters of the amendment which declares the nation's faith involate, and makes secession impossible, will be a simple rejection of the fruits of that great conflict which filled the land with graves of patriot martyrs and with orphan children, who are this day the wards of the Republic and justly claim your protection and care. Such a decision will leave the children of your fallen defenders without a Government to shelter them. It will leave those of your own house defenseless and unprotected, subject to the rule of a party opposed to the adoption of just laws and the plainest requirements of justice. Such a decision will be a perpetual testimony of the incapacity of man for self-government, and that a reckiess, unprincipled political party is more powerful for evil against free institutions than armed rebellion. Can it be that the American people will reject in the coming contest the tried and true patriot, who led your armies to final victory over armed rebellion, and set above him and prefer before him a Pendleton, whe claims it to be unconstitutional to defend the Constitution against State secession and treason, unconstitutional to issue legal-tender hotes for the support of the army in the field, but now claims it to be perfectly constitutional to issue legal-tender hotes for the support of the army in the field, but now claims it to be perfectly constitutional to issue legal-tender hotes for the support of the army in the field, but now claims it to be perfectly constitutional of the "lost called" Can it be that the people will prefer to reject Grant, their defendor, and to accept as their President and Commander-in-Chief Seymour, who, when the hights of Gettysburg were covered with twenty thousand of your country's patriot dead, halled the aiders of

so solemnly made before by the people. We find the same party, accidentally in power in the State of New-Jersey, attempting to repeal the ratification of this amendment heretofore declared by the people of New-Jersey. We find that the apostate President, who is the chief of the so-called Democratic party, and fit to be its standard-bearer, leading off the attack upon the amendment, by his telegram to Gov. Parsons of Alabama, to the effect that the Legislature of that State should not ratify it. Fifth: As further evidence that this is the vital and controlling issue in the contest, the successful determination of which will crown the triumph of your arms with an enduring victory, notice the fact that the XLth Congress, by the acts for the admission of seven of the insurgent States to representa-

COMMUNICATION.

To the Editor of The Tribune. Sin: In your article of last week, "The Star of Empire," there is one observation upon which I desire to make a short commentary. It is that wherein you lead your readers to believe that the Irish, as a race, are less intelligent and worse educated than the other nationalities who emigrate to this continent. To set this nationalities who emigrate to this continent. To set this Yankee notion (which I find indulged in by others as ignorant as THE THIBLINE, respecting the status of the Irish race of the present day) forever at rest. I propose that you send one of your staff on any day to Castle Garden, and there take the first 50 or 100 Irish passing the barrier, and the same number, in the same manner, of any other nationality, and test them as to their education, and if an equal or greater number of the Irish are not able to read and write, then let your sneer stand, and I piedge myself to subscribe for 10 copies of THE THIBLINE during the cam-

and test them as to their education, and if an equal or greater number of the Irish are not able to read and write, then let your sneer stand, and I pledge myself to subscribe for 10 copies of The Tribuye during the campaign, to be distributed where and how the Editor pleases. But if a larger percentage of educated Irish are found than of any of their fellow-voyagers, then I trust you will make the amende honorable, and give the circumstance as large a circulation as your have given what I shall at present term an unintentional slander on an ill-treated and much maligned people.

There are several points I admit where the Irish emigrant is distanced by other nations. Thus he has not the bare-faced effrontery to say he can do what he knows nothing about. He will not, like a raw Yankee, propose to run a steamboat or a railway engine at first sight. He will not, like a Scotchman, set about "bossing" his fellow laborers the moment he cuters the employment. He has too high a moral sense of honor to break his promise as often as it suits his interest or his convenience, like his Dutch neighbor. He is usually too high-minded to take to low groveling occupations, by which money may be made at the expense of virtue and honesty. An open field, and a fair chance for muscular exertion, and Pat goes into the battle of life with a will, and works his way with as little detriment to the interests of his neighbors as any citizen. Sudden contact with Yankee cunning in the New-England States often spoils his best qualities, and makes him a character of repreach; but, out here, on our plains and in our woods, he has few equals, and no superiors.

In one other way he bears honorable comparison with his fellow-citizens. Though seldom possessed of the franchise at home, he never fails here to discriminate between clap-trap and reality, and to cast his vote in the true interests of his country. As far as my observation goes, outside the large cities, Patrick is the most useful man we have. He fights as little, drinks as altitle, swea

CHIPPEWA FALLS, Wis., July 4, 1868.

LUBRICATION .- The siphon principle has been

Lubrication.—The siphon principle has been successfully applied to secure the perfect inbrigation of journals of machinery. The "American Oil Feeder," invented by J. B. Wickersham & Son of No. 143 South Frontst., Philadelphia, consists of a wire siphon, covered with cotton netting, so as to combine the principles of the siphon, capillary attraction, and filtration. Thus oil is carried, free of mechanical impurities, from the oil cup to journals at the rate of one drop in ten minutes, or one drop per second. The contrivance is applicable to all kinds of machinery, is susceptible of exact regulation, and is pronounced by our most eminent machinists the most desirable oiler now in use.